

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BARBARA ANDERSEN,)	CASE NO. 1:22 CV 627
)	
Plaintiff,)	
)	
v.)	JUDGE DONALD C. NUGENT
)	
)	Magistrate Judge Thomas M. Parker
)	
GREGORY THOMPSON, <i>et al.</i>,)	<u>MEMORANDUM OPINION</u>
)	
Defendants.)	

On July 14, 2023, Magistrate Judge Thomas M. Parker issued a Report and Recommendation in the above-captioned matter (Docket #119), recommending that the Court dismiss Ms. Andersen's Amended Complaint for failure to state a claim for relief and deny Ms. Andersen's Motion for Default Judgment (Docket #95) as moot. Magistrate Judge Parker also recommends that the Court sanction Ms. Andersen pursuant to the Court's inherent authority based on her conduct in litigating this action. Ms. Andersen filed Objections to the Report and Recommendation on July 27, 2023. (Docket #121.)

Standard of Review for a Magistrate Judge's Report and Recommendation

The applicable district court standard of review for a magistrate judge's report and recommendation depends upon whether objections were made to the report. When objections are made to a report and recommendation of a magistrate judge, the district court reviews the case *de*

novo. FED. R. CIV. P. 72(b) provides:

The district judge must determine *de novo* any part of the magistrate judge's disposition that has been properly objected to. The district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.

Conclusion

The Court has reviewed the Magistrate Judge's Report and Recommendation *de novo*, analyzing Ms. Andersen's Objections thereto. Magistrate Judge Parker thoroughly and exhaustively reviewed the claims raised by Ms. Andersen and the litigation history of this case, in conjunction with the applicable statutory and case law. Magistrate Judge Parker properly concluded that Ms. Andersen's Amended Complaint fails to state a claim upon which relief can be granted. Further, the Court agrees with Magistrate Judge Parker that Ms. Andersen's conduct during this litigation, which amounts to an abuse of and disregard for the judicial system, warrants sanctions pursuant to the Court's inherent authority.

The Report and Recommendation issued by Magistrate Judge Parker (Docket #119) is hereby ADOPTED in its entirety.

Ms. Andersen's Amended Complaint (Docket #69) is hereby DISMISSED for failure to state a claim. Ms. Andersen's Motion for Default Judgment (Docket #95) is hereby DENIED AS MOOT. Ms. Andersen is hereby sanctioned for her conduct during this litigation, and ordered to pay Defendant, Gregory Thompson, \$500.00.

This case is hereby TERMINATED.

IT IS SO ORDERED.


DONALD C. NUGENT
United States District Judge

DATED: August 16, 2023